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INTERNATIONAL FEDERATION OF AIR LINE PILOTS' ASSOCIATIONS



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THE GLOBAL VOICE OF PILOTS

Federal Aviation Authority
U.S. Department of Transportation Dockets
Docket No. FAA-99-6717
400 Seventh Street, SW
Room Plaza 401
Washington, DC 20590.

Dear Sirs,

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**IFALPA'S RESPONSE TO DOCKET NO. FAA-99-6717 - REFERENCE 207 - MINUTES
ETOPS APPROVAL CRITERIA**

IFALPA thanks FAA for making available the opportunity to comment on the proposal of ATA and ALPA to extend diversion time. IFALPA accepts and supports the need for establishing the safe extension of diversion time for suitably equipped and operated two-engined jet transport aircraft. IFALPA acknowledges and applauds the improvements that manufacturers have made to their products in response to the challenge of the ETOPS environment.

The Federation believes that any proposal by the FAA for increasing diversion time should meet the following principles:

- Harmony with JAA
- Meets accepted Safety Criteria
- Complies with Rules

FAA/JAA Harmony

As yet although the FAA accept **harmonisation** to be an objective, if this proposal goes forward it will be a move further away from such harmony. The JAA have been developing the regulatory material for increasing diversion time beyond **180-minutes** and seek participation with FAA in that process. If adopted, this unilateral proposal would not be in accord with the stated objective of the FAA to **harmonise** with the JAA. IFALPA intends to press the JAA to consider **240-minute** or unlimited **ETOPS** as being the only appropriate way to proceed from here. In the meantime, **IFALPA cannot support this FAA proposal, which we consider premature at this stage; we can give**



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an undertaking to review our position based on feedback from our colleagues in **ALPA**, International. We have already provided them, and in this document acquainted the FAA as well, with our reservations including stressing the need to limit the application of **207** minutes. We also look to the FAA to regard it as an interim, and temporary measure. We ask for **IFALPA** to be a constituent member of the **ARAC W/G**, via the appropriate procedures.

We are pleased that the FAA has stated quite clearly that the business outcome is not of its concern. That it is purely a safety-based decision is to be applauded. We hope that this continues to be the FAA's stance on other issues in the future. The extra time for public comment is noted with approval and we hope that the soundness of argument will prevail over the weight of numbers in the debate.

The interests of the **travelling** public quoted by airline contributors, are a distraction and cannot be used in **favour of the** argument for granting **207** minutes, or even the desirability of such. The public interest is safety and economy of use. The public relies on bodies such as the FAA to act in the public interest to ensure that this order of priority is indeed the case. Bodies such as airlines and manufacturers are expected to act in the interest of their shareholders. This may well conflict with other objectives and thus the role of the FAA should be of referee and ensure that the correct priorities are followed by all participants.

We agree that all long-range operations should be operated to at least a uniform level of safety (regardless of number of engines), and that there are many areas that need to be **harmonised** across all operations. It is with the best available current technology that safety and capability comparisons must be made.

The claim that **207** minutes is a logical extension (**15%**) of **180** minutes is not convincing. That **207** minutes gives an additional degree of flexibility and is probably able to be carried out without either major change to an aircraft physically and without any statistical change to accident risk is a reasonably credible argument. We cannot deny that now we have additional in-service experience of the **777**, some of the original assumptions can be seen to be conservative. Some claims however can be seen to be optimistic. After all, one never heard mention of a predicted auxiliary drive shaft failure, or turbine blade failures, as have occurred over the last few months on all, or some variants of the **777**.

There should therefore be a full and thorough assessment of **ETOPS** Significant Systems to ensure their suitability for this extended diversion, as proposed by the UK **CAA**. The alternative proposed of numerical analysis alone, is felt to fall short of this and is felt to be poor practice, and suggests commercial pressure for an early entry into operation is overriding good safety common sense. The **CMP** **MUST** once more become a living document able to be revised and enforced, to reflect the latest and best experience to ensure that the **207** minute fleet operates to the highest standards. The operation should not be based on a **CMP** issued at first certification, which may no longer reflect the best practice or current standards.

We feel that the **TDA** documentation should be a practical and legal limitation. It should define the maximum possible diversion time when applied in combination with a given **CMP** status. That the operator has its own limitation which may be less than the **TDA** maximum is obviously logical and possible. It is not logical to permit an operator to have operational approval beyond that for which the aircraft is designed, equipped, or certified. Thus the FAA must deal to logically approve the type before it can approve the operator. This may need a post certification modification to the aircraft

and or its **CMP** to achieve the required status.

The proposed **IFSD** rate is short of what the public might expect for what is, a pioneering challenge. As the FAA has stated, the actual **IFSD** is barely one third of the proposed allowable rate. Thus, we naturally assume that better than **.019** is quite easily achievable. If the airline industry members were really serious about doing something for the public, they would at least give some **re-assurance** that they would expect to achieve **.010**.

We would expect the FAA to take positive action if this **IFSD** rate of **.019** should be exceeded for any types in a configuration being used for **207** minutes.

Equipment requirements are generally good, but we strongly believe that if SAT phone required for dispatch, it must be on the list of essential equipment for back-up power supply.

We agree with the FAA that Class E cargo compartment issues are not directly related to the **207** minutes **ETOPS** issue.

As much as one would perhaps like the accountability for wind, it is accepted as part of a statistical approach that we carry out **ETOPS** planning for selection of alternates in zero wind. However the variations in actual diversion time due to wind can be substantial, and of course increases with increased diversion time. This reinforces the need to carry out the review proposed by the UK **CAA** of equipment **etc** for these potentially long diversion times.

With respect to **UAL**, a twelve month sample of weather reports is not in our opinion sufficient to formulate other than a simplistic view on weather conditions over a given route. Weather cycles tend to be over longer periods, something like **5 to 7** years.

With respect to Boeing designs for early **ETOPS** there often seems to be an over estimation of capability. For example, the electrical system is very capable, but the back up generators can at best, only be considered a single system because the converter is a single system regardless of how many engine-driven, frequency-wild items are operating. The batteries are of such small capacity, they are no more or less effective than on any other types. This is not to decry Boeing' s design, but merely to **emphasise** that the **777** capable as it may be, has limitations very similar to other **ETOPS** twins in certain respects.

With respect to the area of operation, this should and must be clearly defined such that the intent of the proposal is not misconstrued as a **carte blanche** for universal **207** minutes **ETOPS**. It has certainly been presented as such in the aviation press with quoted **207** minutes **ETOPS** out of the box for the **B777 X** series. This latter proposal flies in the face of the FAA's platitudes that **207** will be restricted to the North Pacific, and only for existing **180-minute** routes. Given the fairly substantial changes to the engine ratings alone, this poses an interesting series of questions in itself. The impression given was that other operators could also operate to **207** minutes after purchasing the type from new, even if no others of any variant were in their fleet. This does show how easy it would be for the FAA' s intentions to be misinterpreted, and misapplied.

We feel strongly that in the age of freedom of information **etc**, that the claims of proprietary needs for secrecy in the technical analysis and risk assumptions are overplayed. Protection to proprietary issues needs to be balanced with the fact that a public endorsement is being given via a type certificate or approval. There certainly needs to be openness to the public over at least how things are done and at least the issues discussed and how problems resolved.

The **harmonisation** process is essential if the industry is to go forward on the euphemistic “level playing field”. To ignore the possible impact of any proposal in such a sensitive area is unwise. That it may be felt that there may not be time to accommodate a fully **harmonised** approach due to the time scales of international process is understood and **sympathised** with. Thus we do understand the desire to proceed on a national basis. However, sales of the **777** are international and foreign carriers may well be operating the same city pairs with the same equipment. Thus, it is highly probable that a foreign regulator will be pressured into “keeping up “ with the FAA. In this way, **207** minutes will possibly spread in an uncoordinated fashion world wide, despite the best intentions of the FAA with this legislation. The FAA must make it clear that this is intended as a short-term solution with a clear end date, no grandfather rights and a well-defined expeditious process to achieve a permanent **harmonised** and internationally accepted solution.

There must also be a definite limitation on time for the current proposal. From the outset, all must be aware that once permanent legislation and procedures have been formulated, there must be a notice of withdrawal of these temporary procedures. There must be no opportunity for the claiming of grandfather rights issues to hamper both the rapid implementations of permanent national procedures, but also future international **harmonisation** efforts. The formulation and compliance with permanent legislation should have an established time scale.

We support the **ALPA** view that there should be a group to ensure compliance with the intent as well as the letter of the proposal. Such a group would ensure that this compliance and intent would occur, by monthly monitoring of operations, a proposal currently rejected by the FAA. This is fundamental to **IFALPA** considering acceptance of the **207-minute** proposal.

Regarding the **ARAC** W/G and it’s development of **LROPS/ETOPS** standards, we request that they be required to consider the world wide impact of any outcome and involve **IFALPA** input from the outset of the deliberations.

The overall process towards **207** minutes approval is leading to improvements, but it is certainly commercially driven. Commercial areas have time scales much shorter than engineering and safety, let alone legislation. One must be sure that, although the paperwork (permanent legislation) has not caught up with the events, that the other items which must be fully completed before commercial use (i.e. safety issues) are fully satisfied.

IFALPA wishes to thank the Authority for affording the opportunity to provide comment and view on their proposed policy for **207-minute ETOPS** operation approval criteria for the Boeing **777** aircraft, and the FAA decision to establish the conditions for a limited **authorisation** for up to **207-minute ETOPS** operation, and the FAA intent to task the Aviation Rulemaking Advisory Committee (**ARAC** to recommend safety standards and procedures for extended range operation of aircraft, regardless of the number of engines.